

01-09-06

DAK  
JHW

PTO/SB/61 (10-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNAVOIDABLY UNDER 37 CFR 1.137(a)</b>		Docket Number (Optional)
First Named Inventor: <i>William S. Rickards III</i>		Art Unit: <i>2191</i>
Application Number: <i>09/733,800</i>		Examiner: <i>Chaus, John Q.</i>
Filed: <i>12/09/2000</i>		
Title: <i>Collaboration Engine: Adding Collaboration Functionality to Computer Software</i>		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450		
NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (571) 272-3282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
<b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION.</b>		
NOTE: A grantable petition requires the following items:		
(1) Petition fee.		
(2) Reply and/or issue fee.		
(3) Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995, and for all design applications; and		
(4) Adequate showing of the cause of unavoidable delay.		
1. Petition fee		
<input checked="" type="checkbox"/> Small entity - fee \$ <u>250</u> (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.		
<input type="checkbox"/> Other than small entity - fee \$ _____ (37 CFR 1.17(l)).		
2. Reply and/or fee		
A The reply and/or fee to the above-noted Office action in the form of _____ (identify the type of reply):		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith.		
B The issue fee of \$ _____		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith.		

[Page 1 of 3]

This collection of information is required by 37 CFR 1.137(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 8 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

01/10/2006 HGUTEMAI 00000015 09733800

01 FC:2452

250.00 OP

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

**3. Terminal disclaimer with disclaimer fee**

- ☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ for a small entity or \$ \_\_\_\_\_ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

- 4. An adequate showing of the cause of the delay, and that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137(a) was unavoidable, is enclosed.**

**WARNING:**

Petitioner/applicant is cautioned to avoid submitting personal information in documents filed in a patent application that may contribute to identity theft. Personal information such as social security numbers, bank account numbers, or credit card numbers (other than a check or credit card authorization form PTO-2038 submitted for payment purposes) is never required by the USPTO to support a petition or an application. If this type of personal information is included in documents submitted to the USPTO, petitioners/applicants should consider redacting such personal information from the documents before submitting them to the USPTO. Petitioner/applicant is advised that the record of a patent application is available to the public after publication of the application (unless a non-publication request in compliance with 37 CFR 1.213(a) is made in the application) or issuance of a patent. Furthermore, the record from an abandoned application may also be available to the public if the application is referenced in a published application or an issued patent (see 37 CFR 1.14). Checks and credit card authorization forms PTO-2038 submitted for payment purposes are not retained in the application file and therefore are not publicly available.

John T. Nosek 12/30/2005  
Signature Date  
John T. Nosek  
Typed or printed name  
215 Redman Ave. 856-354-0934  
Address Address Telephone Number  
Haddonfield, NJ 08033 609-609-9273(M)  
Address

- Enclosure ☒ Fee Payment
- ☐ Reply
- ☐ Terminal Disclaimer Form
- ☒ Additional sheets containing statements establishing unavoidable delay
- ☐ \_\_\_\_\_

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being: Express  
☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

1/6/2006  
Date

John T. Nosek  
Signature  
John T. Nosek  
Typed or printed name of person signing certificate

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED  
UNAVOIDABLY UNDER 37 CFR 1.137(a)**

**NOTE:** The following showing of the cause of unavoidable delay must be signed by all applicants or by any other party who is presenting statements concerning the cause of delay.

*John T. Nosek*

Signature

*John T. Nosek*

Typed or printed name

*12/30/2005*

Date

Registration Number, if applicable

(In the space provided below, please explain in detail the reasons for the delay in filing a proper reply.)

*see ATTACHED SHEETS (21) TWENTY-  
ONE*

(Please attach additional sheets if additional space is needed.)



## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



## ABANDONMENT WAS UNAVOIDABLE

The abandonment of the patent was unavoidable by SMTC:

- SMTC did everything it could possibly do, yet the USPTO declared the application abandoned.
- SMTC timely filed the RCE with the proper fee, it got to the USPTO in a timely manner, yet USPTO failed to acknowledge that it was received.
- The proof of USPTO taking payment and the certificate of mailing for the RCE are compelling evidence that SMTC timely tendered the RCE with the proper fee.

In a phone conversation with Examiner Chavis of USPTO and Dr. John Nosek of SMTC on December 28, 2005, Examiner Chavis explained that Patent Application No. 09/733,800 was abandoned because SMTC's Request for Continued Examination mailed within the proper time was not recorded in June 2005 when received by USPTO. By mistake, USPTO recorded the duplicate copy of the RCE that was forwarded to the USPTO at the request of Examiner Chavis in December 2005. The below sequence of events and related exhibits strongly support that the abandonment of the patent was unavoidable by SMTC.

In addition the AMENDMENT AFTER FINAL REJECTION, which is based on the interview between Examiner Chavis of USPTO and Dr. John Nosek of SMTC on 11/3/2005, is included in this mailing in case the USPTO decides to revise the patent.

**May 4, 2005: Mailing of the final action by USPTO.**

**June 24, 2005: Mailing of Request for Continued Examination and Petition for Extension of Time**

- **Exhibit 1:** Copy of Request for Continued Examination (RCE)
- **Exhibit 2:** Copy of Petition For Extension of Time with copies of notarized copies of assignment forms
- **Exhibit 3:** Copy of Certificates of Mailing for RCE and Petition for Extension of Time.

**June 30, 2005: Cashing of the fee by USPTO associated with the Request for Continued Examination (RCE)**

- **Exhibit 4:** Copy of the bank statement, dated 07/05/2005, with the date that check 2493 was cashed by USPTO: June 30, 2005. Note that the check indicated that the fee was for RCE for the patent application in question.

**July 6, 2005: Cashing of the fee by USPTO associated with the Petition for Extension of Time.**

- **Exhibit 5:** Copy of the bank statement, dated 08/04/2005, with the date that check 2508 was cashed by USPTO: July 6, 2005. Note that the check indicated that the fee was for an Extension for the patent application in question.

**July 15 – October 15, 2005: Exchange of phone messages between SMTC and Examiner Chavis.** There was some difficulty in connecting and an appointment was made to discuss the matter in person at USPTO.

**November 3, 2005: USPTO, Alexandria VA. Meeting between Dr. John Nosek of SMTC and Examiner John Chavis of USPTO.**

- **Exhibit 6:** Copy of the Interview Summary, dated 3 November 2005. Good progress was made during the interview. SMTC was to fax a draft of the new claims.
- Examiner Chavis noted that the fee for the RCE was cashed and recorded but that the RCE was not yet filed. Dr. Nosek and Examiner Chavis were both under the impression that this was strictly an administrative oversight. We were both clearly under the impression that USPTO had received the RCE in a timely manner.

**November 4, 2005: Abandonment date if no RCE was filed in a timely manner.** It is important to emphasize that this is the day after the above interview. If SMTC had been notified that USPTO did not have a copy of the RCE, there would have still been time by SMTC to submit a copy of the RCE within the required time to avoid abandonment. As noted below on November 9, 2005, the same day that SMTC received a request for a copy of the RCE, SMTC immediately faxed a copy of the RCE.

**November 8, 2005: SMTC faxed a draft copy of the new claims.**

- **Exhibit 7:** Copy of the faxed cover sheet and the fax log indicating that the fax was successfully transmitted.

**November 9, 2005: Responding to a phone message from Examiner Chavis that USPTO did not have a copy of the RCE.**

- **Exhibit 8:** Copy of the faxed cover sheet and the fax log indicating that the fax was successfully transmitted. RCE faxed was same as Exhibit 1.

**December 2, 2005: Date of Notice of Abandonment of Patent Application No. 09/733,800 for failing to file RCE. Mailed by Examiner Chavis**

- **Exhibit 9:** Copy of the notice.

**December 7, 2005: SMTC response to Notice of Abandonment**

- **Exhibit 10:** Copy of SMTC response to Notice of Abandonment. SMTC was unable to connect with Examiner Chavis. SMTC thought the issue was that Examiner Chavis did not receive the faxed copy of the RCE. A copy of Exhibits 7 and 8 were attached to Exhibit 10 for mailing.

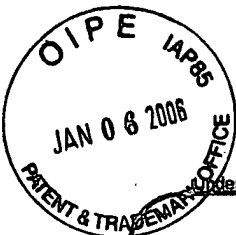
**Approximately December 20, 2005: Examiner Chavis of USPTO leaves a message that was understood to mean that proof of sending the original RCE was needed.**

**December 21, 2005: SMTC mailed Certificates of Mailing**

- **Exhibit 11:** Copy of SMTC response, dated December 20, 2005, for proof of sending RCE, Copy of Exhibit 3 was attached.
- **Exhibit 12:** Copy of Certificate of Mailing of Exhibit 11.

**December 28, 2005: Phone conversation between Dr. Nosek of SMTC and Examiner Chavis of USPTO.**

- Examiner Chavis indicates that a petition must be filed to void abandonment of the patent application and revive it.



PTO/SB/30 (04-05)

Approved for use through 07/31/2008. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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# Request for Continued Examination (RCE) Transmittal

Address to:  
Mail Stop RCE  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Application Number

09/733,800

Filing Date

12/09/2000

First Named Inventor

William S. Richards III

Art Unit

2191

Examiner Name

Chavis, John Q.

Attorney Docket Number

**This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.**

Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered amendments and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such amendment(s).

- a. ☐ Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

i. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_\_

ii. ☐ Other \_\_\_\_\_

- b. ☐ Enclosed

i. ☐ Amendment/Reply

iii. ☐ Information Disclosure Statement (IDS)

ii. ☐ Affidavit(s)/ Declaration(s)

iv. ☐ Other \_\_\_\_\_

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of \_\_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)

b. ☐ Other \_\_\_\_\_

## 3. Fees

The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.

The Director is hereby authorized to charge the following fees, any underpayment of fees, or credit any overpayments, to

- a. ☐ Deposit Account No. \_\_\_\_\_ I have enclosed a duplicate copy of this sheet

i. ☐ RCE fee required under 37 CFR 1.17(e)

ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)

iii. ☐ Other \_\_\_\_\_

- b. ☒ Check in the amount of \$ 395 enclosed

- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Signature	<u>William S. Richards III</u>	Date	<u>6/5/05</u>
Name (Print/Type)	<u>William S. Richards III</u>	Registration No.	

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Signature	<u>John T. Nosen</u>	Date	<u>6/8/2005</u>
Name (Print/Type)	<u>John T. Nosen</u>		

This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Exhibit I page 1 of 1



**STATEMENT UNDER 37 CFR 3.73(b)**Applicant/Patent Owner: William S. Richards III; Gary S. KeorKunianApplication No./Patent No.: 09/733,800 Filed/Issue Date: \_\_\_\_\_Entitled: Collaboration Engine: Adding Collaboration Functionality to Computer SoftwareSenseMaking Technologies Corp., a Corporation  
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☐ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

John T. Nosek  
Signature

John T. Nosek  
Printed or Typed Name

President  
Title

6/23/2005  
Date

856-354-0934  
Telephone Number

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Exhibit 2 page 2 of 4



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**PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)**

Docket Number (Optional)

**FY 2005**

(Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).)

Application Number 09/733,800

Filed 12/09/2000

For

Art Unit 2191

Examiner Chavis, John Q

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee are as follows (check time period desired and enter the appropriate fee below):

	Fee	Small Entity Fee	
<input type="checkbox"/> One month (37 CFR 1.17(a)(1))	\$120	\$60	\$ _____
<input checked="" type="checkbox"/> Two months (37 CFR 1.17(a)(2))	\$450	\$225	\$ <u>225</u>
<input type="checkbox"/> Three months (37 CFR 1.17(a)(3))	\$1020	\$510	\$ _____
<input type="checkbox"/> Four months (37 CFR 1.17(a)(4))	\$1590	\$795	\$ _____
<input type="checkbox"/> Five months (37 CFR 1.17(a)(5))	\$2160	\$1080	\$ _____

☒ Applicant claims small entity status. See 37 CFR 1.27.

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Director has already been authorized to charge fees in this application to a Deposit Account.

☐ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ I have enclosed a duplicate copy of this sheet.

**WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the ☐ applicant/inventor.

☒ assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed (Form PTO/SB/96).

☐ attorney or agent of record. Registration Number \_\_\_\_\_

☐ attorney or agent under 37 CFR 1.34.  
Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

John T. Nosek  
Signature

6/23/2005  
Date

John T. Nosek  
Typed or printed name

856-354-0734  
Telephone Number

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

☒ Total of 4 forms are submitted.

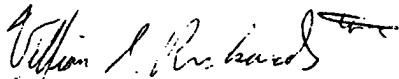
This collection of information is required by 37 CFR 1.136(a). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 6 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1460, Alexandria, VA 22313-1460.

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Exhibit 2 page 1 of 4

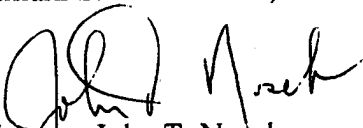
## Assignment of Patent Rights

I assign all my patent rights to "Collaboration Engine: Adding Collaboration Functionality to Computer Software" to SenseMaking Technologies Corporation.



William S. Rickards III, Co-Inventor

Date: 12/03/1999



Witness: John T. Nosek

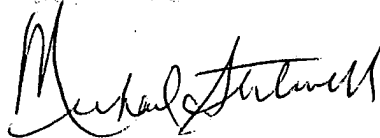
Date: 12/03/1999



Witness: Gary S. Keorkunian

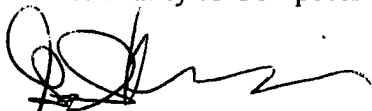
Date: 12/03/1999

**MICHAEL STILWELL**  
NOTARY PUBLIC OF NEW JERSEY  
MY COMMISSION EXPIRES OCT 9, 2001



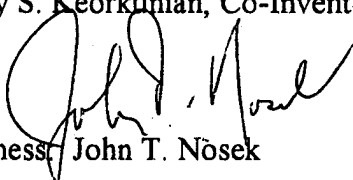
## Assignment of Patent Rights

I assign all my patent rights to "Collaboration Engine: Adding Collaboration Functionality to Computer Software" to SenseMaking Technologies Corporation.



Gary S. Keorkunian, Co-Inventor

Date: 12/03/1999



Witness: John T. Nosek

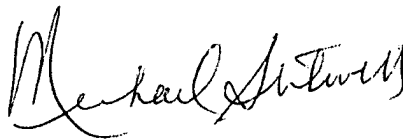
Date: 12/03/1999

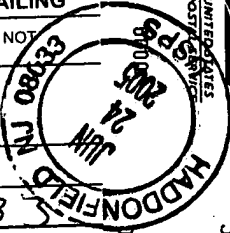


Witness: William S. Rickards

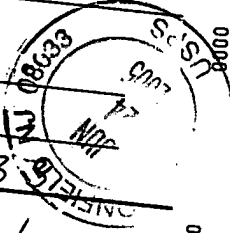
Date: 12/03/1999

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JAN 10 1999



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P.O. Box 1450			
Alexandria, VA 22313-1450			

PS Form 3817, January 2001

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Commissioner for Patents			
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Exhibit 3 page 1 of 1



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7

JOHN T NOSEK OR  
MARY C NOSEK  
215 REDMAN AVE  
HADDONFIELD NJ 08033-2525

04

STATEMENT DATE

07/05/05



JOHN T. NOSEK  
MARY C. NOSEK  
215 REDMAN AVE.  
HADDONFIELD, NJ 08033-2525

Date 6/19/2005

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Exhibit 4 page 1 of 1

JOHN T NOSEK OR  
MARY C NOSEK  
215 REDMAN AVE  
HADDONFIELD NJ 08033-2525

STATEMENT DATE

08/04/05

JOHN T. NOSEK  
MARY C. NOSEK  
218 REDMAN AVE.  
HALLS HURST, NJ 08033-2025

2508  
38-14287-112

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John T. Nosek

Per: Catherine 9809/23800

63440742641 073 554519 250A 000022500

Check: 2508 Amount: 225.00

DATE..CHECK NO.....AMOUNT

07/06

2508\*

~~X~~ 225.00

Exhibit 5 page 1 of 1



# Interview Summary

Application No.

09/733,800

Applicant(s)

RICKARDS ET AL.

Examiner

John Chavis

Art Unit

2193

All participants (applicant, applicant's representative, PTO personnel):

(1) John Chavis.

(3) \_\_\_\_\_

(2) John Nosek.

(4) \_\_\_\_\_

Date of Interview: 03 November 2005.

Type: a) ☐ Telephonic b) ☐ Video Conference

c) ☒ Personal [copy given to: 1) ☒ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.

If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: (proposed claim 62).

Identification of prior art discussed: Ex 20 (cited in the previous Action)

Agreement with respect to the claims f) ☒ was reached. g) ☐ was not reached. h) ☐ N/A.

The applicant's representative agreed that an amendment is required to better define the invention over the prior art of record.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: \_\_\_\_\_

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

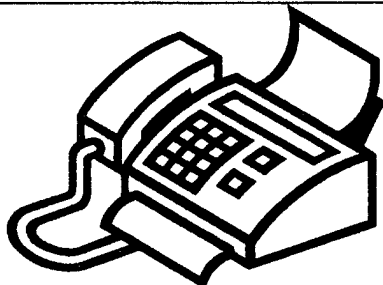
THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN ONE MONTH FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

JOHN CHAVIS  
PATENT EXAMINER  
ART UNIT 2193

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required





**A facsimile from**  
**SenseMaking Technologies**  
**Corp.**  
Dr. John T. Nosek

**To:** Mr. John Chavis  
Fax number: 571-273-3720

**Date:** 11/8/2005

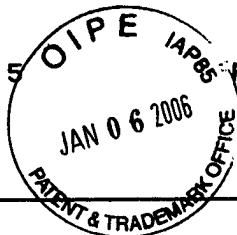
**Regarding:** Application No. 09/733,800

**Comments:** Here are the claims with the language you suggested from the notes I took when we met on 11/03/2005. You mentioned that you would be able to review them for wording if I faxed them to you. Thank you in advance, John Nosek

*Exhibit 7 page 1 of 2*

hp officejet 4200 series 4215 Personal Printer/Fax/Copier/Scanner

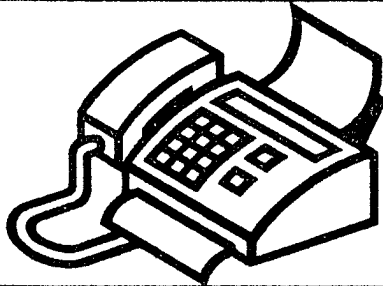
Log for  
11/7/2005 6:25PM



Last Transaction

Date	Time	Type	Identification	Duration	Pages	Result
11/07	03:07p	Fax Sent	15712733720	2:31	6	OK

*Exhibit 7 page 2 of 2*



**To:** Mr. John Chavis  
Fax number: 571-273-3720

**Date:** 11/9/2005

**A facsimile from**  
**SenseMaking Technologies**  
**Corp.**  
Dr. John T. Nosek

**Regarding:** Application No. 09/733,800

**Comments:** Here's a copy of the Request for Continued Examination(RCE) Transmittal. I will be out of the office from 10-12 November. If you need to contact me, my mobile number is 609-605-9273. Thank you in advance, John Nosek

*Exhibit 8 page 1 of 2*

hp officejet 4200 series 4215

Personal Printer/Fax/Copier/Scanner

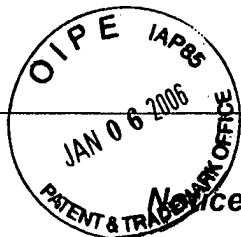
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Last Transaction

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Exhibit 8 page 2 of 2



Application No.		Applicant(s)	
09/733,800		RICKARDS ET AL.	
Examiner		Art Unit	
John Chavis		2193	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

This application is abandoned in view of:

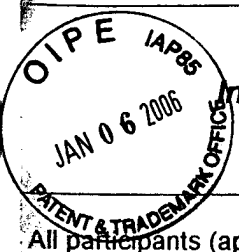
1. ☒ Applicant's failure to timely file a proper reply to the Office letter mailed on 05/04/2005.
  - (a) ☐ A reply was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply (including a total extension of time of \_\_\_\_\_ month(s)) which expired on \_\_\_\_\_.
  - (b) ☒ A proposed reply was received on 06/27/2005, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.

(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).
  - (c) ☐ A reply was received on \_\_\_\_\_ but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).
  - (d) ☐ No reply has been received.
2. ☐ Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).
  - (a) ☐ The issue fee and publication fee, if applicable, was received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).
  - (b) ☐ The submitted fee of \$\_\_\_\_\_ is insufficient. A balance of \$\_\_\_\_\_ is due.

The issue fee required by 37 CFR 1.18 is \$\_\_\_\_\_. The publication fee, if required by 37 CFR 1.18(d), is \$\_\_\_\_\_.
  - (c) ☐ The issue fee and publication fee, if applicable, has not been received.
3. ☐ Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).
  - (a) ☐ Proposed corrected drawings were received on \_\_\_\_\_ (with a Certificate of Mailing or Transmission dated \_\_\_\_\_), which is after the expiration of the period for reply.
  - (b) ☐ No corrected drawings have been received.
4. ☐ The letter of express abandonment which is signed by the attorney or agent of record, the assignee of the entire interest, or all of the applicants.
5. ☐ The letter of express abandonment which is signed by an attorney or agent (acting in a representative capacity under 37 CFR 1.34(a)) upon the filing of a continuing application.
6. ☐ The decision by the Board of Patent Appeals and Interference rendered on \_\_\_\_\_ and because the period for seeking court review of the decision has expired and there are no allowed claims.
7. ☒ The reason(s) below:

The papers filed referred to an RCE; however, the papers are not in the file. The applicant was called on 11/14/05 and 11/21/05 and asked to file copies of the RCE; however, no response has been filed.

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.



## Interview Summary

Application No.

09/733,800

Applicant(s)

RICKARDS ET AL.

Examiner

John Chavis

Art Unit

2193

All participants (applicant, applicant's representative, PTO personnel):

(1) John Chavis. (3) \_\_\_\_\_

(2) John Nosek. (4) \_\_\_\_\_

Date of Interview: 21 November 2005.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☐ No.  
If Yes, brief description: \_\_\_\_\_

Claim(s) discussed: \_\_\_\_\_

Identification of prior art discussed: \_\_\_\_\_

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Reached applicant's voicemail and requested a copy of the RCE filed to keep the application from being abandoned. No reply has been received. This is the second request for the RCE.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

JOHN CHAVIS  
PATENT EXAMINER  
ART UNIT 2193

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

\_\_\_\_\_  
Examiner's signature, if required

12/7/2005



Mr. John Q. Chavis  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Mr. Chavis,

This letter is in reference to Application No. 09/733,800.

I am sorry that we have not been able to be in contact with each other. After getting your letter of 12/2/2005, I did check voice mail and found the message from 11/21/05 - I am sorry for this - it's a new phone and I guess it does not notify me if there are pending messages in voice mail. I did leave messages at extension 2-3720 yesterday and today. I don't know if there is a change with your phones, because I did not get your personal message when calling this number. I will continue calling so that I can understand what else needs to be done.

Please find enclosed copies of the faxes that I sent with confirmation that the faxes were properly sent. The reason I didn't call earlier is that I know you are very busy and with the confirmation from my fax machine, I thought everything was okay. Again, please accept my apologies.

Thank you in advance for your patience and consideration. My phone numbers are 856-354-0434 and 609-605-9273.

Sincerely,

John T. Nosek, Ph.D.

*Exhibit 10 page 1 of 1*

12/20/2005



Mr. John Q. Chavis  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Mr. Chavis,

This letter is in reference to Application No. 09/733,800.

I am sorry that I missed your call. I am enclosing copies of Certificates of Mailing, dated June 24, 2005. One was for the "Petition for Extension of Time Under 37 CFR 1.136(a)," the other was for the "Request for Continued Examination (RCE) Transmittal." I mailed these separately because each had a different mailing address. Prior to sending these, I did contact the U.S. Patent hotline. Although I don't have the gentleman's name who assisted me, the procedure I followed was what I understood was the process.

I will try calling you to confirm that these are the items that you require. The current number I have for you is 571-272-3720. If this is incorrect, please let me know what the correct number is. The last few times that I called, there was no answering message, so I am not sure if this is still the correct number.

Thank you in advance for your patience and consideration. My phone numbers are 856-354-0434 and 609-605-9273. All my best to you and your family during this holiday season.

Sincerely,

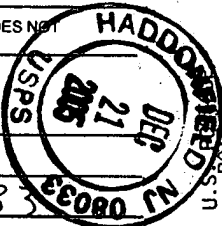
John T. Nosek, Ph.D.

*Exhibit 11 page 1 of 1*





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United States Patents and Trademark Office	
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Alexandria, VA 22313-1450	



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08033  
DEC 21 2005  
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00065361-06



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PS Form 3817, January 2001

Exhibit 12 page 1 of 1